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8 || Attorneys for Plaintiffs and the Putative Class

9 (Additional counsel listed on following page)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

14 JUAN FLORES-MENDEZ, an individual and
15 AMBER COLLINS, an individual, and on
behalf of classes of similarly situated
individuals,

Plaintiffs.

V.

¹⁹ ZOOSK, INC., a Delaware corporation.

Defendant.

CASE NO: 3:20-cv-04929-WHA

**DECLARATION OF KILEY LYNN
GROMBACHER IN SUPPORT OF
PLAINTIFFS' LIMITED OPPOSITION
TO DEFENDANT'S MOTION FOR
DISMISSAL OF PLAINTIFF AMBER
COLLINS' CLAIMS PURSUANT TO
FED.R.CIV.PRO. 21(b)**

Date: March 24, 2022
Time: 8:00 a.m.
Court: Courtroom 12, 19th Floor
Hon. William Alsup

1 Additional Counsel for Plaintiffs and the Putative Class:

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1 I, Kiley L. Grombacher, Declare:

2 1. I am an attorney licensed to practice before all courts of the state of California. I
3 am a member in good standing of the state bar of California and admitted to practice before this
4 court. I am counsel for plaintiffs Juan Flores-Mendez and Amber Collins (“Plaintiffs”) in this
5 proposed class action.

6 2. This declaration is filed in limited opposition to the Motion for Dismissal of
7 Plaintiff Amber Collins' Claims Pursuant to Fed.R.Civ.Pro. 21(b).

8 3. Plaintiff Collins filed this action on July 22, 2020, as one of two putative class
9 representatives.

10 4. During the pendency of this action, Plaintiff Amber Collins (“Plaintiff Collins”)
11 has participated in the litigation. Such participation included searching for documents and working
12 with her counsel to respond to discovery and supplement such discovery.

13 5. While Plaintiff Collins communicated with our office fairly routinely at the
14 inception of the litigation, all response and communication effectively ceased in or about
15 December of 2021. Our office repeatedly attempted to communicate with and locate Plaintiff
16 Collins to no avail.

17 6. To assist in the effort to locate Plaintiff Collins, our office retained a private
18 investigator. On January 27, 2022, we received a report from the investigator informing us that
19 Plaintiff Collins was in the custody of the Ventura County Sheriff’s Department.

20 7. Our internal investigation confirmed such information. Attached hereto as Exhibit
21 A is a true and correct copy of a print out from the Ventura County Superior Court regarding
22 Plaintiff Collins.

23 8. On February 3, 2022, I was permitted a non-contact visit with Plaintiff Collins. She
24 has agreed to dismissal of this action without prejudice.

25 9. Attached hereto as Exhibit B is a true and correct copy of email serving
26 Defendant with Plaintiff’s signed verifications as to her response to Special Interrogatories.

27 I declare under penalty of perjury under the laws of the United States of America and the
28

1 State of California that the foregoing is true and correct and to my best knowledge.

2 Executed this 11th day of February, 2022 at Westlake Village, California.

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4 /s/ Kiley L. Grombacher

5 Kiley L. Grombacher

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